



**CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR MEDICAID SERVICES**

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TO: Home & Community Based Waiver (42)
Adult Day Health Care/PDS (43)
Supports for Community Living (33)
Acquired Brain Injury (17)

FROM: Earl Gresham
Assistant Director, Division of Community Alternatives

DATE: December 5, 2017

RE: Clarification POC Development Team Meeting Signature Requirements

The Department for Medicaid Services (DMS) recently distributed a process clarification for Plan of Care (POC) development for all 1915 (c) Waivers and have received feedback requesting additional clarifications related to Person-Centered Plan team meeting participant requirements.

Person-Centered Plan definitions and requirements can be found in the federal final rule entitled: *Medicaid Program; State Plan Home and Community-Based Services, 5-Year Period for Waivers, Provider Payment Reassignment, and Home and Community-Based Setting Requirements for Community First Choice (Section 1915(k) of the Act) and Home and Community-Based Services (HCBS) Waivers (Section 1915(c) of the Act), published in the Federal Register on January 16, 2014*. Each waiver program has regulatory language supporting this requirement and can be found as noted below:

- HCB Waiver – 907 KAR 7:010 Section 7
- ABI Acute & LTC – 907 KAR 3:090 Section 4, 907 KAR 3:210 Section 4
- Michelle P – 907 KAR 1:835 Section 8
- SCL – 907 KAR 12:010 Section 5.

As noted in both references above, the plan must be developed and signed by all individuals and providers responsible for its implementation. The team signatures should, at a minimum, include the individual/legal guardian or responsible party and at least **one** (1) representative from each provider agency who will be serving the individual. The representative for PDS services shall be the individual/legal guardian or responsible party. Individual employees providing PDS services are not required to attend the meeting.

Obtaining signatures from individuals participating remotely can cause delays in submitting the POC for approval. DMS will allow an email from those individuals stating that they participated in the meeting as an informal electronic signature to expedite the process.

All documentation must include the signature, title and date. Any POC requests submitted without required data or with incomplete team meeting signature pages will be returned as LOI for more information.

Please contact us if you have additional questions or need any further clarification.